

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LINDA McGARR,

Plaintiff,

**07-CV-9488 (KMK)**

-against-

CITY OF PEEKSKILL, DAVID LEVINE, THOMAS  
McINTYRE, EUGENE TUMOLO, JOHN AND  
JANE DOE SUPERVISORS, and DANIEL  
STEPHENS,

Defendants.

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**NOTICE OF APPEAL**

Plaintiff Linda McGarr hereby provides notice in the above named case that she appeals to the United States Court of Appeals for the Second Circuit from each and every part of (1) the Order of the Honorable Kenneth M. Karas, entered on September 26, 2012, granting defendant Daniel Stephens' motion for summary judgment (Exhibit A), (2) the Order of the Honorable Kenneth M. Karas, entered on September 30, 2013, granting the motion for summary judgment for defendants City of Peekskill, David Levine, Thomas McIntyre, and Eugene Tumolo (Exhibit B), and (3) the Judgment in this action granting defendants' motions for summary judgment and closing the case, entered on September 30, 2013 (Exhibit C).

Dated: New York, New York  
October 29, 2013

EMERY CELLI BRINCKERHOFF  
& ABADY LLP

A handwritten signature in blue ink, appearing to read "Diane L. Houk", is written over a horizontal line.

Diane L. Houk  
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*Attorneys for Plaintiff*

TO: All attorneys of record, *via* ECF